



J.B. VAN HOLLEN
ATTORNEY GENERAL

JOINT NEWS RELEASE

**FROM THE WISCONSIN DEPARTMENTS OF JUSTICE (DOJ), AND
AGRICULTURE, TRADE AND CONSUMER PROTECTION (DATCP)**

***Attorney General J.B. Van Hollen and DATCP Announce Settlement with Agro Distribution
Concerning State Environmental Cleanup Funds***

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MADISON — Attorney General J.B. Van Hollen announced that Wisconsin has reached a \$774,000 settlement resolving claims the state made against Agro Distribution, LLC, Agriliance LLC, their insurer Chartis Specialty Insurance Co., and others.

According to the complaint filed in Rock County in October, 2011, the settled claims were related to an environmental cleanup of a former fertilizer center at Edgerton, Wisconsin. Agro Distribution and Agriliance paid the costs of cleaning the site, then sought and received reimbursement for those costs from the Agricultural Chemical Cleanup Program Fund (ACCP Fund). The ACCP fund, administered by DATCP, provides partial reimbursement for agricultural chemical cleanup costs that insurance does not pay. After auditing the defendants' claims, DATCP disputed the accuracy of the Agro/Agriliance applications, demanded that they return money to the ACCP fund, and asserted claims against their insurer.

“As government officials, we have a responsibility to make sure that public funds are used appropriately. We have achieved that objective in this case by recovering this money,” Attorney General Van Hollen said.

Ben Brancel, Secretary of the Department of Agriculture, Trade and Consumer Protection (DATCP) said, “I am pleased this issue has been resolved in this manner. The funds collected will go back to the ACCP Fund and continue to be used for environmental protection in Wisconsin.”

Under the settlement agreement, Agro, Agriliance, and Chartis will pay \$550,000 into the ACCP fund. In addition, Agro and Agriliance will forego an additional \$224,000 that the ACCP fund would otherwise pay to the defendants as reimbursement for cleanups at other sites; the payments foregone will support current remediation projects in Wisconsin. The settlement also provides that Agro and Agriliance may not apply for any other remediation costs at the Edgerton site. Defendants do not admit liability and deny any fault in the matter.

The audit of the Defendants’ ACCP application was conducted by staff within DATCP’s Bureau of Agricultural Chemical Management. The case was prosecuted by Assistant Attorney General F. Mark Bromley, with assistance provided by DATCP.

Copies of the Amended Complaint, Stipulation and proposed Order of Dismissal are available at the following links:

[Amended Complaint](#)

[Stipulation and proposed Order of Dismissal](#)

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